

## **CABINET**

Minutes of the meeting of the Cabinet held in the Monsanto Suite, Royal International Pavilion, Llangollen on Tuesday 5 December 2000 at 10.00 a.m.

## **PRESENT**

Councillors E.C. Edwards (Leader), D.M. Holder, R.W. Hughes, G.M. Kensler, D.M. Morris, A.E. Roberts, W.R. Webb and K.E. Wells.

Observers - Councillors F.D. Jones, A.J. Tobin and A.E. Fletcher-Williams.

## **ALSO PRESENT**

Chief Executive, County Clerk, Financial Controller, Assistant Chief Executive (Strategy).

## **APOLOGIES**

Councillors I.M. German, E.A. Owens and E.W. Williams.

## **ANNOUNCEMENTS**

- 1 The Leader referred to the death of Martin Williams, brother of Karen Ferguson, Chief Executive's Department and to the death of Linda Mallilieu, wife of Derek Mallilieu of the Bowls Centre at Rhyl and asked Members to stand in tribute.
- 2 The Leader welcomed Alan Evans, Director of Resources to his first Cabinet meeting.

## **815. URGENT MATTERS**

The Leader gave notice of the following items which in his opinion should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act 1972:-

- (i) Part II Update on Llangollen
- (ii) Part II Update on Flooding Incidents in Denbighshire
- (iii) Part II Update on Wirral Partnership

## **816. MINUTES OF THE CABINET**

The Minutes of the Cabinet held on 23 November 2000 (previously circulated) were submitted.

### **Matters Arising:-**

- (i) Item 4 (National Youth Service Conference) - Councillor G M Kensler asked that for clarification purposes, after 'Newsnight programme' in the second paragraph, second line, add 'on child abuse'.
- (ii) Item 9 (Transportation Study for Denbigh and Transportation Study for Rhyl) - Councillor R W Hughes asked that Councillor A E Owens reference to the absence of funding be included in the Resolution, to read: Members acknowledged the absence of capital funding arising out of the recommendations for these studies.
- (iii) Item 15 (Purchasing Organisation) - The County Clerk asked that 'Purchasing' be deleted in the second paragraph, second word and third paragraph, last word. Both the references are to Wirral as a Local Authority and not Wirral Purchasing.

**RESOLVED** that the Minutes of the Cabinet meeting held on 23 November 2000 be approved as a correct record and signed by the Leader.

## 817. ENVIRONMENT SCRUTINY COMMITTEE

The County Clerk submitted his report (circulated at the meeting) on the feedback on the budget process from the Environment Scrutiny Committee. The Environment Scrutiny Committee Members had discussed the proposed new pressures and cuts and had agreed to adjust some of the new pressures. All observations made would be forwarded to the Cabinet Lead Member for Finance and included in the budget preparation discussions.

**RESOLVED** that Members accept the report.

## 818. COUNCIL TAX BASE

The Financial Controller submitted the Cabinet Lead Member for Finance's report on the Council Tax Base for the financial year 2001-2002.

**RESOLVED** that:-

- (a) Members approve the calculation of the Council's tax base for the year 2001-2002, and
- (b) pursuant to Councillor Owen's report and in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992:-

S.I. 1992/612, S.I. 1992/1742 and S.I. 1992/2943, the amount calculated by the Council Council as the tax base for each community area for the year 2001/2002 shall be :-

<u>Community Area</u>	<u>Tax Base</u> <u>2001/2002</u>
Aberwheeler	133
Betws G G	121
Bodelwyddan	669
Bodfari	134
Bryneglwys	133
Cefn Meiriadog	170
Clocaenog	86
Corwen	795
Cyffylliog	173
Cynwyd	200
Denbigh	2891
Derwen	190
Dyserth	930
Efenechtyd	246
Gwyddelwern	185
Henllan	291
Llanarmon yn Ial	463
Llanbedr D C	404
Llandelga	231
Llandrillo	225
Llandyrnog	362
Llanelidan	128

Llanfair D C	448
Llanferres	323
Llangollen	1301
Llangynhafal	269
Llanrhaeadr Y C	425
Llantysilio	192
Llanynys	280
Nantglyn	121
Prestatyn	6553
Rhuddlan	1552
Rhyl	8071
Ruthin	1941
St. Asaph	1203
Trefnant	560
Tremeirchion	476

#### **819. LLYSFASI GOVERNING BODY**

The Leader submitted a report on the Llysfasi Governing Body (previously circulated) seeking a decision from Members on the appointment of a replacement County Council representative to fill a vacancy on the Llysfasi College Governing Body following the resignation of Councillor E C Edwards and depending on that decision, whom to appoint.

The Leader stated his resignation was two-fold, firstly owing to personal reasons and secondly that the role of the representative on the Llysfasi Governing Body would be more appropriate for the Lead Member for Education given the creation of Community Consortia for Education and Training.

**RESOLVED** that:-

- (a) *Members approve a replacement County Council representative to serve on the Llysfasi Board of Governors, and*
- (b) *Councillor K E Wells, Lead Cabinet Member for Education and ICT be appointed as the County Council's representative on the Llysfasi Board of Governors.*

#### **820. RECRUITMENT**

The Leader submitted the following applications for approval:-

- (i) External advertisement for a Scale 1 / 2 Clerk/Typist in the County Clerk's Department, and
- (ii) External advertisement for a Scale 6 Part Time Disability Sport Cymru Officer in the Countryside and Leisure Department. This post to be shared with Conwy County Borough Council and is 100% grant funded.

With regard to the County Clerk's request, Councillor W R Webb asked if the possibility of internal appointments had been fully explored. The County Clerk informed Members that Personnel have no suitable staff on the redeployment list at this time. The Chief Executive added that with the recent staff moves in the Technical Services and Planning Departments this list may have been exhausted.

**RESOLVED** that the external advertisement of the above mentioned posts be approved.

**821. BEST VALUE**

The Chief Executive submitted a report on the Best Value: Programme and Resource Implications (previously circulated) and a Summary of Best Value Survey Report for Denbighshire County Council (circulated at the meeting).

Members were asked to approve the first two years of the 5 year programme for Best Value Service Reviews and to approve the recharge of resource allocations for the achievement of the proposed programme.

The Chief Executive drew Members' attention to the results of the recent questionnaire sent to 44,000 residents of which 4,312 residents had responded. The survey indicated levels of satisfaction with Council services in Denbighshire. Information on the results will be given back to the public in the form of a press release. A Citizen's Panel of 500 Denbighshire residents had been formed.

The Chief Executive drew Members' attention to proposed response to bring the organisation of Best Value review programme more in line with the requirements of the Recovery Plan and to strengthen central resources for the administration of Best Value within the Chief Executive's Department in order to improve overall Authority's performance in the delivery of Best Value.

With regard to the recovery plan, linkages between expenditure and the need to secure savings was identified as one of the main organisational principles of the 5 year Review Programme. Highlighted also was the need to review information/reception/service points together so as to provide a more uniform and coherent service provision.

Councillors R W Hughes and G M Kensler both identified the need to ensure that the public understand the terms used in any surveys.

Councillor A E Roberts noted that 35% of the residents who completed the questionnaire had asked to join the Citizen's Panel. The Chief Executive said that more than 500 residents had indicated their wish to join the Panel but numbers would be limited by the need to form a representative Panel. The Best Value Officer said that consideration of gender, age and location had to be taken into account to ensure all sections of the population were properly represented.

The Leader thanked the Best Value team for their work on the report and summary of the survey.

**RESOLVED** that:-

- (a) *Members approve the proposed first 2 years of the 5 Year Programme, and*
- (b) *Members approve the proposed strategy for improving co-ordination of Best Value Reviews and making better use of resources already available through the strengthening of the Corporate Performance Management and Best Value Unit.*

**822. MAES GWILYM OPEN SPACE, RHYL**

Councillor R W Hughes, Lead Cabinet Member for Culture, Leisure and Tourism submitted a report (previously circulated) seeking Members' approval to the development of the Maes Gwilym area in east Rhyl as a new open space for local people and wildlife.

The Maes Gwilym area is part of an on-going project, the land having been given on a Deed of Dedication to the Council in the 1990s with a cash sum paid to the Council to carry out works to develop the site as an open space. The Capital Programme for the current year contains provision for £16k of costs in connection with the scheme, with the proposed play area financed by a developer contribution.

**RESOLVED** that Members agree the proposals to develop a wildlife area as part of a new open space at Maes Gwilym, Rhyl.

**823. EXCLUSION OF PRESS AND PUBLIC**

***RESOLVED** under Section 100A(4) of the Local Government Act 1972 the Press and Public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 7, 8, 9, 11 and 12 of Part 1 of Schedule 12A of the Local Government Act 1972.*

**824. MANAGEMENT ARRANGEMENTS FOR LOCAL AUTHORITY RESIDENTIAL HOMES**

Councillor A E Roberts, Lead Cabinet Member for Personal Services submitted the report on the Management Arrangements for Local Authority Residential Homes (previously circulated) seeking Members' endorsement for the terms of reference for the options appraisal in respect of the future management arrangements for the Council's residential homes for older people and for its recommendation to be forwarded to Council for its consideration for approval.

Leonie Cowen and Associates of London had presented an analysis of issues which impact on the Council's ability to deliver in-house residential services for older people and the options open to the Council. Despite earlier reservations, Councillor W R Webb appreciated the need for a review.

***RESOLVED** that Members, having regard to securing the homes' future viability as a source of good quality, local residential care, and that all other options were explored and appraised and brought back to the Council for consideration, agreed the Terms of Reference to be adopted on the progression of the preparatory work on options appraisal for recommendation to Council.*

**825. LAND AT TY'N LLIDIART INDUSTRIAL ESTATE, CORWEN**

Councillor W R Webb, Lead Cabinet Member for Property submitted a report on land at Ty'n Lliart Industrial Estate, Corwen (circulated previously) seeking Members' agreement to defer consideration of a request from Corwen Forestry to purchase the small vacant site which adjoins their premises at Ty'n Lliart.

Councillor W R Webb said Corwen Forestry have made a request to purchase a small vacant site adjoining their premises. However, owing to Unitary Development Plan considerations, further land for industrial use on the other side of the former railway line may be included, therefore access to the site will be required, hence the deferment of consideration of the sale of the land.

***RESOLVED** that Members defer the sale of the said piece of land at Ty'n Lliart Industrial Estate until it is known if the land is required for an access to further industrial land.*

**826. FLAT NOS 1, 3, 5, 7 AND 9 WEST STREET, RHYL**

Councillor W R Webb, the Lead Cabinet Member for Property submitted a report (previously circulated) seeking Members' approval to dispose of five County Council owned flats at West Street, Rhyl to Clwyd Alyn Housing Association who have funding to demolish and redevelop the site and adjoining land to provide social housing for families.

Councillor G M Kensler noted that Councillor Joan Butterfield had expressed the need for more open space in this part of Rhyl if demolition of the flats took place. The Head of Public Protection and Regulatory Services assured Councillor Kensler that the views of local Members had been taken into account.

***RESOLVED** that Members agree the sale of flat numbers 1, 3, 4, 7 and 9 West Street, Rhyl to Clwyd Alyn Housing Association for demolition and redevelopment to provide social family housing on terms to be agreed with the Acting Director of Technical Services in consultation with the County Clerk.*

**827. MOUNTFIELDS, DENBIGH**

Councillor W R Webb, Lead Cabinet Member for Property submitted a report seeking Members' approval to lease approximately 0.01 ha (0.02 acre) of land to Vodafone for the purpose of erecting a mast at Mountfields, Denbigh.

Councillor Webb said the site would be leased for a period of up to 20 years, with all costs paid for by Vodafone.

Councillor G M Kensler referred to the adverse health implications concerning mobile phone transmitters and exposure to electromagnetic fields. Members agreed that given the lack of current evidence, it would be prudent to include conditions within the lease which would cover Members' concerns should such risks be proven to exist.

**RESOLVED** that Members agreed to lease to Vodafone the Mountfields site, Denbigh for a period of up to 20 years on terms and conditions (including a condition regarding health risks) to be agreed with the Head of Public Protection and Regulatory Services in consultation with the County Clerk.

**828. LAND ADJACENT TO NO 6 BANASTRE AVENUE, PRESTATYN**

Councillor W R Webb, Lead Cabinet Member for Property submitted a report seeking Members' approval to the disposal of land adjacent to No 6 Banastre Avenue, Prestatyn (previously circulated).

The owners of No 6 Banastre Avenue have made a request to purchase a strip of land adjacent to their property for use as a driveway and garden. The land has boundaries with both No 6 and No 4 Banastre Avenue and in 1996 both properties were given the opportunity to purchase the land. It was considered appropriate to offer the land to both properties once again.

**RESOLVED** that Members agreed to dispose of the land adjacent to No 6 Banastre Avenue, Prestatyn with the land to be revalued and offered for sale to both No 4 and No 6 Banastre Avenue on terms to be agreed with the Head of Public Protection and Regulatory Services in consultation with the County Clerk.

**829. LAND AT ARTILLERY ROW, BODELWYDDAN**

Councillor W R Webb, Lead Cabinet Member for Property submitted a report (previously circulated) seeking Members' approval to dispose of a plot of land at Artillery Row, Bodelwyddan to Clwyd Alyn Housing Association. Clwyd Alyn Housing Association proposed to build a special needs wheelchair bungalow for existing local County Council tenants on the land as part of the Denbighshire Housing Grant Programme for 2000-2001.

Councillor R W Hughes suggested to Members that the costs of diverting the sewer which crosses the site should be borne by Clwyd Alyn Housing Association.

**RESOLVED** that Members approve the sale of 558m<sup>2</sup> of land at Artillery Row, Bodelwyddan to Clwyd Alyn Housing Association with the costs of diverting the sewer being borne by Clwyd Alyn Housing Association.

**830. PROPERTY / LAND DISPOSALS**

Councillor W R Webb, Lead Cabinet Member for Property submitted the report (previously circulated) updating Members on the progress made on capital receipts gained arising from the sale or potential sale of Council owned property and land as listed in the report.

The Leader thanked the Property Services team for their work on property / land disposals.

**RESOLVED** that Members note the information contained in the report.

**831. PURCHASING ORGANISATION**

The Financial Controller gave a verbal update following the meeting of the Organisation on 4 December 2000. He stated that he had pointed out Denbighshire's concerns over the trading position and the need to turn the situation round. Denbighshire's decision to withdraw its notice to quit the consortium with effect from 31 March 2001 was made known to the meeting, as was the decision to give further notice to quit from 31 March 2002 to protect the Council's position.

Conwy CBC and Wirral BC gave notice of a similar decision whilst Wrexham stated that they had not revisited their earlier notice to quit and would therefore be leaving the consortium at the end of the financial year, however they would like to continue to trade in the short term. Flintshire had not given notice previously.

The County Secretary of Flintshire promised a report to the next meeting to detail the impact on the organisation's recovery plan and the recommended terms for Wrexham to continue trading next financial year.

Councillor W R Webb asked what amount Wrexham County Borough Council would pay to quit the consortium at this time. The Financial Controller said that Wrexham County Borough Council would pay a one fifth share of the financial loss and a one fifth share of any downsizing costs.

Councillor D M Holder asked whether Wirral and North Wales Purchasing Consortium was a limited company. The Financial Controller explained that Wirral Purchasing was not a limited company but a Local Authority joint organisation.

The Financial Controller reminded Members that 31 March 2001 was the last date for giving notice to quit from the Consortium.

**RESOLVED** that Members note the report.

#### **832. FLOODING INCIDENTS IN DENBIGHSHIRE**

The Chief Executive gave a verbal update on the flooding incidents in Denbighshire. A response was required on both the Horseshoe Pass and the Mwrog Street culvert, Ruthin and on the Bellwin formula. There were also costs of repair at Loggerheads, to the Council's housing stock and work required at Corwen.

The Financial Controller said a meeting would be held with Wrexham and Flintshire and the National Assembly regarding capital costs, land drainage costs and future flood prevention costs.

The Head of Highways reported that work had commenced on Mwrog Street and design works on the culvert were now complete with a further section of the culvert to be replaced. Orders for work to start had been placed with the contractors. Work had also commenced on a flooding contingency plan for the County and the National Assembly for Wales would be asked for support.

In response to a question, the Chief Executive said that the meeting with the Environment Agency at Ruthin had been useful. However the media have given much coverage to the Mwrog Street culvert at Ruthin to the exclusion of other areas. It was reported that Sue Essex AM is charged with looking at a wider picture of the flooding within Wales.

**RESOLVED** that Members note the report.

#### **833. LLANGOLLEN BOUNDARY REVIEW**

The County Clerk gave a verbal update on the Llangollen Boundary Review. Application for leave for Judicial Review had been rejected.

The County Clerk said the case would be put forward to the Boundary Commission for Wales who had not before tackled anything of this complexity and had therefore engaged consultants to assist.

The Chief Executive responded to detailed questions and outlined the Council's strategy. In line with previous policy, should the initial response from the Boundary Commission for Wales be unfavourable, the National Assembly for Wales would be requested to undertake a wider boundary review to take account of adjustment of boundaries elsewhere.

The County Clerk said the Boundary Commission report would be produced by October 2001 and the National Assembly view was unlikely to be available until October 2002. Following further detailed discussion, it was:-

**RESOLVED** that Members note the report.

The meeting concluded at 11.50 a.m.

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